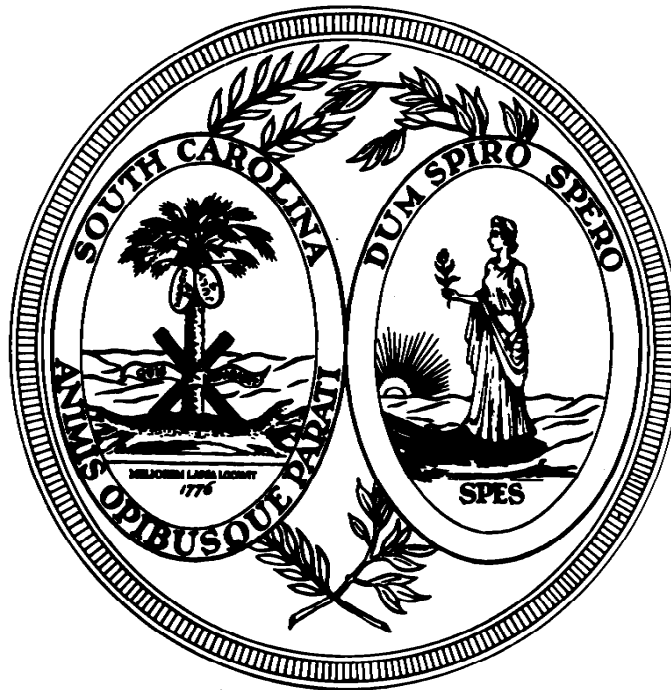




Regulation Number 61-96 Athletic Trainers



Promulgated by the Board of Health and Environmental Control

Administered by the Division of Emergency Medical Services and Trauma

Including Changes

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61-96. Athletic Trainers

Statutory Authority: Sections 44-75-10 et seq., S.C. Code of Laws, 1976, as amended

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A. Purpose, Administration and Definitions.

1. Purpose: The purpose of this regulation is to assure the highest degree of professional conduct by those engaged in offering athletic trainer services to the public and to safeguard the public's health, safety, and welfare by establishing minimum qualifications for those individuals wishing to offer athletic trainer services to the public.

2. Administration: All regulations pertaining to the administration of the "Athletic Trainers' Act of South Carolina", Sections 44-75-10 et seq., S.C. Code of Laws, 1976, as amended, shall be administered by the South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina.

3. Definitions: For the purpose of these Standards, the following definitions shall apply:

a. "Law" as used in these rules shall mean the "Athletic Trainers' Act of South Carolina", Sections 44-75-10 et seq., S.C. Code of Laws, 1976, as amended.

b. "Board" shall mean the Board of the South Carolina Department of Health and Environmental Control.

c. "Department" means the South Carolina Department of Health and Environmental Control.

d. "Committee" shall mean the South Carolina Athletic Trainers' Advisory Committee.

e. "Athletic Trainer" means a person with specific qualifications as set forth in Section 44-75-50 of the Law who, upon the advice and consent of a licensed physician, carries out the practice of care, prevention, and physical rehabilitation of athletic injuries, and who, in carrying out these functions,

may use physical modalities, including, but not limited to, heat, light, sound, cold, electricity, or mechanical devices related to rehabilitation and treatment.

f. "Certificate" means official acknowledgement by the Department that an individual has successfully completed the education and other requirements referred to in the "Athletic Trainers' Act of South Carolina", Sections 44-75-10 et seq., which entitles that individual to perform the functions and duties of an athletic trainer.

g. "Licensed Physician" means a physician licensed by the South Carolina State Board of Medical Examiners.

h. "Employment of Athletic Trainer" shall mean a person who is engaged as an athletic trainer if the person is employed on a salary or contractual basis by an educational institution, a hospital, rehabilitation clinic, professional organization, or other bona fide athletic organization and performs the duties of an athletic trainer as a major responsibility of this employment.

i. "Advice and Consent of a Licensed Physician" shall mean the general written or oral standing orders and/or protocol signed by a licensed physician.

B. Description of the Profession.

An athletic trainer is an individual who has successfully completed the college or university undergraduate degree and fulfilled the requirements for certification as established by the Board of Certification, Inc., in association with the National Athletic Trainers' Association (NATA), and successfully completed the Athletic Trainers Certification Examination as administered by the Board of Certification, Inc. Through a combination of formal classroom instruction and clinical experience, the athletic trainer is prepared to apply a wide variety of specific health care skills and knowledge within the domains/standards. The seven domains/standards of athletic training from which these specific tasks are measured in the examination are:

1. Direction: The athletic trainer renders services or treatment under the advice and consent of a licensed physician.

2. Prevention: The athletic trainer understands and uses preventative measures to assure the highest quality of care for every patient.

3. Immediate Care: The athletic trainer provides standard and immediate care procedures used in emergency situations, independent of setting.

4. Clinical Evaluation and Diagnosis: Prior to treatment the athletic trainer assesses the patient's level of function. The patient's input is considered as an integral part of the initial assessment. The athletic trainer follows the standards of clinical practice in an area of diagnostic reasoning and medical decision making.

5. Treatment Rehabilitation and Re-Conditioning: The athletic trainer develops the treatment program and determines the appropriate treatment, rehabilitation and/or reconditioning strategies. The treatment program objectives include long and short term goals and appraisal of those that the patient can realistically be expected to achieve from the program. This assessment measure determines effectiveness

of the program and is incorporated into the program.

6. Program Discontinuation: The athletic trainer, in collaboration with the licensed physician, recommends discontinuation of athletic training services when the patient has received optimal benefit of the program. The athletic trainer, at the time of discontinuation, notes the final assessment of the patient's status.

7. Organization and Administration: All services are documented in writing by the athletic trainer and are part of the patient's permanent records. The athletic trainer accepts responsibility of recording details of the patient's health care status.

C. Certification.

1. Requirements: A person who seeks certification as an athletic trainer in the State of South Carolina must successfully complete the Athletic Trainer Certification Examination as administered by the Board of Certification, Inc., and satisfy the following requirements:

- a. Meets the athletic training curriculum requirements of a college or university; and
- b. Submits a certified transcript from the college or university along with the completed application.

2. Applications:

a. Each candidate for certification must file a written application on a form furnished upon request from the Department. The application must be completed in its entirety and must include all relative documents and fees.

b. An application must be completed by the applicant and reviewed by the Department within ninety (90) days of the date that the first document has been received by the Department. Any application not completed within this period will become void. Any consideration of certification after this date will require the applicant to submit a new application, new documents and appropriate fees. The applicant will be notified in writing of approval or denial of request for certification.

c. Once an application is reviewed by the Department, no refund of the application fee shall be issued.

d. Certification will remain current for two (2) years from the issue date.

3. Examination: The applicant must pass the Athletic Trainer Certification Examination as administered by the Board of Certification, Inc., in association with the National Athletic Trainers' Association before a certificate for South Carolina certification can be issued from the Department.

4. Renewal: With renewal being every two (2) years, the Department shall mail a renewal application form, sixty (60) days prior to the renewal date, to the last address registered with the Department, to the person to whom the certification was issued or renewed during the preceding renewal period. The athletic trainer shall then:

- a. Complete the renewal application form;
- b. Submit proof of continuing education credit as detailed in Section J, Continuing Education;
- c. Enclose the renewal fee; and
- d. File the above with the Department prior to the renewal date.

5. Failure to Renew: An athletic trainer who does not file with the Department his or her renewal application by the renewal date will be deemed to have allowed his or her certification to expire. Such certification may be reinstated by the Department, at its discretion, by the payment of the late renewal fee, provided the application is made within six (6) months of the renewal date. After six (6) months, a restoration fee will be charged to those individuals who wish to restore certification.

6. Reinstatement: A certificate which is revoked for failure to renew may be reinstated at the direction of the Department and the Committee within two (2) years of its expiration date. Any consideration for recertification will necessitate submission of a new application and will require the applicant to meet the then existing requirements.

D. Fees: To be certified, athletic trainers practicing in the State of South Carolina must pay the fees according to the fee schedule listed below unless otherwise exempted by law. Appropriate fees must be made payable by credit card, check or money order to the South Carolina Department of Health and Environmental Control.

1. Fees:

(a) Application Fee: The application fee shall be fifty dollars (\$50) due upon receipt of the application.

(b) Examination Fee: The examination fee will be the current examination fee of the National Athletic Trainers' Association. This fee is in addition to the application fee.

(c) Re-Examination Fee: The re-examination fee shall be the current National Athletic Trainers' Association re-examination fee.

(d) Biennial Renewal Fee: The biennial renewal fee shall be forty dollars (\$40) due on the anniversary date of the second year after the applicant is certified. Renewal fees will be due on the anniversary date every two years after that.

(e) Late Renewal Fees: A late renewal fee of fifty-five (\$55) will be charged to those individuals who renew with a six (6) month period after the biennial renewal date.

(f) Restoration Fee: A restoration fee of one-hundred dollars (\$100) will be charged to those individuals who fail to renew within the six (6) month late renewal schedule.

2. Other Fees:

(a) Duplicate Certificate: Five dollars (\$5).

(b) Duplicate ID Certificate Card: Two dollars (\$2).

E. Reciprocity: Certification by Reciprocity: A certificate may be issued by the Department to any qualified athletic trainer holding certification in any other state if such other state recognizes the certificate of South Carolina in the same manner. The applicant must meet the following requirements for reciprocal certification:

1. The applicant is currently certified to practice athletic training under the laws of another state or territory.
2. The requirements for said certification are equivalent to those required in South Carolina.
3. The applicant's certificate has not been, and is not presently, suspended or revoked.

F. Exemption from Certification:

No person shall represent him or herself as an athletic trainer unless he or she is certified by the Department, except as otherwise provided in this section. Exemptions apply as follows:

1. Licensed, registered, or certified professionals such as licensed physicians, nurses, physical therapists, and chiropractors practicing their professions are exempt if they do not assert to the public by any title or description as being athletic trainers.

2. A person rendering services that are the same as or similar to those within the scope of practice provided for in the Law is exempt as long as he or she is otherwise now employed or employed in the future as a faculty or staff member at the school in question and does not represent him or herself to be an athletic trainer.

3. Persons employed prior to June 19, 1984 by the State Department of Education, local boards of education, or private secondary or elementary schools for the treatment of injuries received by students participating in school sports activities are exempt.

4. A person serving as a student-trainer or in any similar position if the service is carried out under the supervision of a licensed physician or certified athletic trainer is exempt.

G. Grandfather Provision:

The Department may issue a certificate to an applicant who was actively engaged as an athletic trainer for a two-year period from June 19, 1979 to June 19, 1984. The applicant shall submit the following for documentation:

1. A notarized record of being employed on a salaried basis with an educational institute or bona fide athletic organization for the duration of the institution's school year, or the length of the athletic organization's season and performed the duties of an athletic trainer as the major responsibility of his employment.

2. A certified oath verifying that the documents submitted to the Department are "true and accurate".

3. Payment of an application fee as prescribed by the Department.

H. Change of Name and Address.

1. Change of Name: A request for a change of name from that under which the original certificate was issued shall be accompanied by a certified copy of a marriage certificate, court order or documentation of legal name change and appropriate fee. See fee schedule.

2. Change of Address: Each person who has a certificate shall keep the Department apprised in writing of his or her current name and address at all times.

I. Professional Identification.

1. Titles and Abbreviations: A person certified by the Department to practice and perform athletic training in South Carolina may use the title, "State Certified Athletic Trainer and/or the abbreviation S.C.A.T.".

2. Production and Display of Certificate: A person certified by the Department to practice and perform athletic training in South Carolina shall carry said card at all times, and show said card when requested.

J. Continuing Education.

1. Definition and Philosophy: Each individual certified as an athletic trainer is responsible for service to the consumer and is accountable to the consumer, the employer, and the profession for evidence of maintaining high levels of skill and knowledge. Continuing education is defined as education beyond the basic preparation required for entry into the profession, directly related to the performance and practice of athletic training.

2. Requirements: Regulations set the requirement for attending and completing two courses during the two (2) year certification period. These courses are as follows:

a. A course in cardiopulmonary resuscitation (CPR) offered by the American Red Cross or the American Heart Association.

b. A designated professional seminar offered yearly by the South Carolina Athletic Trainers' Association (SCATA) at the association's annual conference.

c. A seminar shall mean two (2) designated courses within the scope of that year's conference.

d. The development of the ~~courses'~~ course content and the monitoring of the courses will be under the supervision of the Committee.

e. At the completion of the appropriate courses during the seminar, a card will be issued

to the athletic trainer by a member of the Committee.

f. Equivalent courses may be approved by the Committee.

g. The Committee will set the continuing education standards on an annual basis.

3. Reporting Procedures for Continuing Education: It is the responsibility of the athletic trainer to submit to the Department, by the renewal date of certification, proof of the completion of the continuing education requirements. Documentation shall include:

a. A photocopy of a current CPR card from either the American Red Cross or the American Heart Association; and a

b. A photocopy of the SCATA professional seminar card, signed by a member of the committee.

4. Enforcement: Without documentation of the required continuing education, as outlined in J.2 and J.3 above, an athletic trainer's certification will not be renewed at the two-year renewal date. Documentation for the continuing education units must be current at the time of renewal.

5. Appeals: If the athletic trainer is unable to obtain the proper continuing education units by the time of renewal, he/she may submit a letter of appeal with the renewal application. This letter must document the reason(s) the athletic trainer was unable to obtain the necessary continuing education units. The Committee will recommend the course of action to be taken.

K. Revocation, Suspension and Denial of Certification; Penalties; Appeals Process.

1. Standards of Conduct: At the discretion of the Department, athletic trainers may have their certificates suspended or revoked at any time the Department determines that the holder of the certificate no longer meets the prescribed qualifications set forth by the Department or has committed any of the following acts:

a. Has engaged in any conduct considered by the Board or Department to be detrimental to the profession of athletic training;

b. Has used fraud or deceit in procuring or, attempting to procure, a certificate or renewal of a certificate to practice athletic training;

c. Has violated, aided, or abetted others in violation of any provision of the law, or these regulations;

d. Has practiced athletic training without a valid certificate.

2. Penalties:

Any person violating the provisions of Sections 44-75-10 et seq. is guilty of a misdemeanor and upon conviction must be punished by a fine of not less than twenty-five (\$25) nor more than two hundred dollars (\$200).

3. Actions: The Committee may recommend revocation or suspension of a certificate. Revocation may be for a period up to two years.

4. Appeals Process: Decisions to deny, suspend or revoke an athletic trainer's certification becomes the final agency decision fifteen (15) days after notice of the Department decision has been mailed to the applicant or holder of the certificate by certified mail, return receipt requested, unless a written request for final review is filed with the DHEC Board by the applicant or holder of the certificate pursuant to Section 44-1-60 of the S.C. Code of Laws, 1976, as amended, and applicable law.

L. Athletic Trainers' Advisory Committee.

1. Organization: The South Carolina Athletic Trainers' Advisory Committee shall consist of nine members appointed by the Board. Two members must be from the Department, one must be from the State Board of Medical Examiners, four must be certified athletic trainers and two must be from the general public who are not certified or licensed in any health care fields and are not in any way associated with athletic trainers.

2. Officers: The Advisory Committee shall annually elect a chairman and vice-chairman from its membership. These two officers shall have all the privileges of re-election.

3. Meetings: The Committee must meet in person at least once a year. Additional meetings may be held on call of the chairman or at the written request of two Committee members. Members may also conduct business by telephone conference call and mail. A record must be kept of all transactions which have been called for by the chairman and a written report shall be submitted for the minutes at the next regularly scheduled meeting. A quorum of two thirds of the Committee membership is required for any meeting of the Committee.

M. Responsibilities of the Department.

The South Carolina Department of Health and Environmental Control, with the advice of the Committee, shall:

1. Coordinate with the Committee chairman to develop and distribute an agenda for committee meetings which shall be distributed at least three business days prior to the meeting.

2. Post public notices of upcoming Committee meetings per the Freedom of Information Act and notify the media of the meetings. The following statement shall be read by the chairman of the Committee at the beginning of each public meeting: "Let the minutes reflect that, as required by the provisions of the South Carolina Freedom of Information Act, Section 30-4-80(E) of the S.C. Code of Laws, 1976, as amended, notification of this meeting has been given to all persons, organizations, local news media and other news media which have requested such notification".

3. Assure that the Committee's address and telephone number is listed in the state telephone directory.

4. Take Committee meeting minutes, type, and send to the chairman for signature within two weeks after the meeting. The Department will distribute the minutes to committee members within one

week after receiving a signature from the chairman.

5. Receive applications for athletic trainer certification and process for routine action. Unusual applications will be brought before the full Committee. If there is a problem, or if the Department needs additional information, the applicant is notified in writing of the delay by the Department.

6. Collect application fees, certification renewal fees, and other fees deemed necessary for the certification program. These fees are non-refundable to the applicant.

7. Maintain a record of each athletic trainer's certification expiration date.

8. Work with the Committee chairman to develop a formal budget for the Committee.

9. Develop and maintain an inquiry log to track all correspondence related to the athletic trainer's certification program and record all complaints.

10. Develop and update a rules and regulations manual for the certification program.

11. Investigate violations and complaints and follow-up with proper legal procedures.

N. Severability.

In the event that any portion of this regulation is construed by a court of competent jurisdiction to be invalid or otherwise unenforceable, such determination shall in no manner affect the remaining portions of this regulation, which, in such case, shall remain in effect as if such invalid portions were not originally a part of this regulation.